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REPLY TO

Merrillville  
Office

OF COUNSEL  
ROY R ROBERTSON JR

November 1, 1991

Mr. Steven Siegel (5CS-TUB-3)  
U.S. Environmental  
Protection Agency  
Region V  
230 South Dearborn Street  
Chicago, IL 60604

Re: American Chemical Service Site  
Griffith, Indiana  
Our File No. 510.4763

Dear Mr. Siegel:

At our meeting of October 17, 1991, you requested American Chemical to respond to various questions about its post-1975 operations. You also requested that the responses be supplied in the form of an affidavit of John J. Murphy.

Enclosed please find an affidavit of Mr. Murphy which American Chemical Service is providing to address the questions you posed. Thank you for your attention to this matter.

Very truly yours,

EICHHORN, EICHHORN &amp; LINK

By: Maureen Johns Grimmer  
Maureen Johns Grimmer

MJG/ld  
Enc.

cc: James Tarpo  
Bruce Clark  
Andrew Perellis

**AFFIDAVIT OF JOHN J. MURPHY**

The affiant, being first duly sworn upon his oath, states:

1. From 1975 to August, 1980, Kapica and Pazmey picked up drums from ACS for reconditioning which had contained hazardous waste. The sources of the hazardous waste included those customers who shipped hazardous waste in drums to ACS and drums which had been to used to collect residual material drained from tankers which delivered customers' hazardous waste to ACS in bulk shipments. It was common for bulk tank trucks to contain some viscous material which could not be pumped and had to drummed off. That drummed material was then taken to the drum unloading dock for processing.

2. From 1981 to September, 1990, all spills were cleaned up promptly by initially covering the spilled material with an absorbant. This was followed by removal of the absorbant and any contaminated soil. This material was shipped offsite for disposal. The extent of the waste spilled was readily ascertainable by virtue of its nature and color. Although no confirmatory sampling was completed, it is my opinion that all spills were adequately cleaned up.

3. For the period of 1981 to September, 1990, I do not recall a specific spill other than those mentioned in the incident reports containing employee disciplinary action. The cleanup procedure outlined above applied to all spills except the spills of February 9, 1982 and December 19, 1984. The spill of February 9, 1982, was contained in the reclamation spill containment system. The material was pumped out of the containment catch basin to

storage. The spill of December 19, 1984, went to the sewer. Housekeeping procedures were in place to properly address cleanup of any de minimus spills which may have occurred from routine operations.

Further affiant saith not.

John J. Murphy  
John J. Murphy

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF LAKE       )

Before me the undersigned, a Notary Public in and for the State of Indiana and County of Lake, personally appeared on this 12<sup>th</sup> day of November, 1991, John J. Murphy, who acknowledged that the foregoing statements are true and correct, and affirmed to me that the above signature is his own.

[Signature]  
NOTARY PUBLIC

My Commission Expires:

11-1-93

Resident of Lake County.